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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,065	10/06/2000	Mamoun Abu-Samaha	10005265-1	2855

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HOWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/684,065

Applicant(s)

ABU-SAMAH, MAMOUN

Examiner

Martin Lerner

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 to 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/00 & 06/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Petition and Return Postcard

1. Applicant has filed a petition and a return postcard on 27 September 2004 indicating a timely filing of response on 23 June 2004 to a restriction requirement as requested by the examiner. Applicant's response is deemed timely by this evidence.

Election/Restrictions

2. Applicant's election with traverse of the requirement for restriction in the reply filed on 23 June 2004 is acknowledged. The traversal is on the grounds that there would not be a serious burden to examine the entire application. This argument is found to be persuasive. Upon reconsideration and search, it is agreed that the inventions of Groups I and II are closely related as the claims only substitute the word "wireless" for "voice". Accordingly, the requirement for restriction is withdrawn.

Specification

3. The abstract of the disclosure is objected to because it is more than 150 words. Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities:
On page 2, line 18, there is an unmatched right parenthesis.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, 5 to 9, 11, 12, 15, and 17 to 19 are rejected under 35 U.S.C. 102(e) as being anticipated by *Kurganov et al.*

Regarding independent claim 1, *Kurganov et al.* discloses a voice activated device controller, comprising:

“an access module configured to expose messaging/collaboration data stored on a messaging/collaboration server” – web browser server 102 accesses database records (“messaging/collaboration data”) from web sites 202 (column 4, line 58 to column 5, line 26: Figure 1); implicitly, web sites 202 are stored on servers (“a messaging collaboration server”);

“a voice interface module configured to translate messaging/collaboration service requests from a voice device for presentation to the access module and to translate a requested messaging/collaboration service deliverable from the access module for presentation to the voice device” – media server 106 has speech recognition engine 300 that converts voice commands (“to translate messaging/collaboration service

Art Unit: 2654

requests”) received from a user’s voice enabled device 112 (“a voice device”) into data messages; voice commands and audio messages are transmitted to web browsing server 102 (“for presentation to the access module”); media server 106 has speech synthesis engine 302 that converts the data (“and to translate a requested messaging/collaboration service”) retrieved by the web browsing servers 102 (“deliverable from the access module”) into audio messages that are transmitted to a user’s voice enabled device (“for presentation to the voice device”) (column 5, line 53 to column 6, line 57: Figures 1 and 3).

Regarding independent claim 11, *Kurganov et al.* discloses a voice activated device controller, comprising:

“an access module configured to expose messaging/collaboration data stored on a messaging/collaboration server” – web browser server 102 accesses database records (“messaging/collaboration data”) from web sites 202 (column 4, line 58 to column 5, line 26: Figure 1); implicitly, web sites 202 are stored on servers (“a messaging collaboration server”);

“a wireless interface module configured to translate messaging/collaboration service requests from a wireless device for presentation to the access module and to translate a requested messaging/collaboration service deliverable from the access module for presentation to the wireless device” – a user’s voice enabled device 112 may be a wireless PDA or wireless telephone (“a wireless device”) communicating with media server 106 (“a wireless interface module”)(column 3, lines 35 to 41; column 5,

Art Unit: 2654

line 65 to column 6, line 2); thus, media server 106 is also a “wireless interface module”; media server 106 has speech recognition engine 300 that converts voice commands (“to translate messaging/collaboration service requests”) received from a user’s voice enabled device 112 (“a wireless device”) into data messages; voice commands and audio messages are transmitted to web browsing server 102 (“for presentation to the access module”); media server 106 has speech synthesis engine 302 that converts the data (“and to translate a requested collaboration/collaboration service”) retrieved by the web browsing servers 102 (“deliverable from the access module”) into audio messages that are transmitted to a user’s voice device (“for presentation to the wireless device”) (column 5, line 53 to column 6, line 57: Figures 1 and 3).

Regarding claims 2 and 12, *Kurganov et al.* discloses an interactive voice response (IVR) application plays a list of options, such as, “stock quotes”, “flight status”, “yellow pages”, “weather”, and “news” (column 15, lines 36 to 42).

Regarding claims 5 and 15, *Kurganov et al.* discloses speech recognition engine 300 of media server 106 converts voice commands into data messages over a wireless channel (“from a first message format into a second message format”) (column 5, line 65 to column 6, line 2: Figures 1 and 3); thus, media server 106 acts as “a voice gateway” and as “a wireless gateway” for translating communications.

Regarding claim 6, *Kurganov et al.* discloses Extensible Markup Language (XML) and Wireless Markup Language (WML) (column 17, lines 21 to 27); XML supports a voice-based markup language (Table 3).

Regarding claims 7 and 17, *Kurganov et al.* discloses a TCP/IP communications protocol and universal resource locators (URL's) in accordance with hypertext transfer protocol (column 6, lines 3 to 10; column 7, lines 38 to 40).

Regarding claims 8 and 18, *Kurganov et al.* discloses pre-filters (column 12, lines 1 to 40) and post-filters (column 14, lines 10 to 53) for content extraction agent 400 to properly extract information requested by the user from the web page (column 7, lines 11 to 28) (Compare Specification, Pages 18 to 19).

Regarding claims 9 and 19, *Kurganov et al.* discloses web browsing server 102 ("access module") and media server 106 ("voice interface module") are distinct servers (column 4, lines 58 to 61; Figure 1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 4, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kurganov et al.* in view of *Trower, II et al.*

Kurganov et al. does not expressly disclose a Component Object Model (COM) to instantiate a server object in response to a request for service. However, *Trower, II et al.* teaches a client server animation system for speech input and output services of web page scripts using a speech synthesis engine and a speech recognition engine.

Art Unit: 2654

(Column 2, Lines 21 to 49) A Common Object Model (COM) generates character animations to obtain general and specific information about a character. (Column 17, Line 24 to Column 20, Line 19) COM interfaces provide a format particularly well-suited to transfer data across process boundaries. (Column 18, Lines 2 to 5) It would have been obvious to one having ordinary skill in the art to apply a Common Object Model (COM) to instantiate server objects in response to a request for service as taught by *Trower, II et al.* in the voice browser system of *Kurganov et al.* for the purpose of providing a format particularly well-suited to transfer data across process boundaries.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Kurganov et al.* in view of *Zarom*.

Kurganov et al. does not expressly disclose translating between a wireless application protocol (WAP) and a hypertext transfer protocol (HTTP). However, *Zarom* teaches it is advantageous to translate between data transmitted according to the WAP network protocol and HTTP (Abstract; column 1, line 65 to column 2, line 12; column 5, lines 51 to 64; Figures 1 and 2) so as to enable cellular telephones to receive many types of multimedia data, including e-mail messages and web pages (column 1, lines 14 to 24). It would have been obvious to one having ordinary skill in the art to translate between WAP and HTTP as taught by *Zarom* in the voice browser system of *Kurganov et al.* for the purpose of enabling a cellular telephone to receive many types of multimedia data.

Art Unit: 2654

10. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kurganov et al.* in view of *Workstyle™ Server For Microsoft® Exchange Server 5.5: Product Overview White Paper* ("White Paper").

Kurganov et al. does not specifically disclose a Microsoft® Exchange® server computer for storing data. However, *White Paper* teaches a server for storing messaging data for wireless devices having an advantage of increasing organizational productivity by giving employees greater command over their information, their communications, and the way they collaborate with colleagues, partners, and customers. (Page 2) It would have been obvious to one having ordinary skill in the art to utilize a Microsoft® Exchange® server computer as taught by *White Paper* in the voice browser system of *Kurganov et al.* for the purpose of increasing organizational productivity by giving employees greater command over their information and the way they collaborate with colleagues.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Resenius et al., Burkey et al., Wolfe et al., Ladd et al., Jacob et al., and Saylor et al. disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-

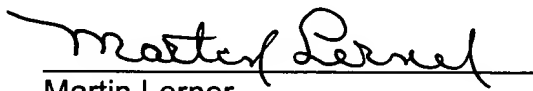
Art Unit: 2654

9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
1/12/05


Martin Lerner
Examiner
Group Art Unit 2654